

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

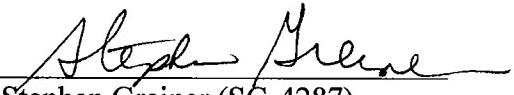
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ERNESTO DARQUEA, :  
v. Plaintiff, : Civil Action No. 7:06-cv-00722-  
: CLB (Consolidated)  
JARDEN CORP., et al., :  
Defendants. :  
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PLEASE TAKE NOTICE that upon (i) the accompanying Affidavit of Eilish M. Cahalan, sworn to on October 20, 2006, and the exhibits annexed thereto; (ii) the Memorandum of Law in Support of Defendants' Motion to Dismiss; and (iii) all prior pleadings, Defendants will move this Court on January 12, 2007, before the Honorable Charles L. Brieant, United States Courthouse, 300 Quarropas Street, Room 218, White Plains, New York 10601, for an Order (i) dismissing the complaint in its entirety pursuant to Rule 12(b) of the Federal Rules of Civil Procedure; and (ii) granting such additional relief as the Court deems just and proper.

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Dated: October 20, 2006  
New York, New York

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